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OFFICE OF THE COUNTY AUDITOR INTEROFFICE MEMORANDUM

TO: All Council Members
FROM: Lauren M. Smelkinson, County Auditor
DATE: May 14, 2013
SUBJECT: Addendum to Council Meeting Notes

Please find attached an addendum (MB-9) to the Council Meeting Notes issued May 9, 2013.

This item will be discussed at the May 14, 2013 work session for the May 23, 2013 Council meeting.

Attachment

cc: notes distribution list

MB-9 (Res. 43-13)**Council District(s) All**

Councilmembers Olszewski, Huff, Bevins & Oliver

Local Open Space Waiver Fees

Resolution 43-13 decreases the County's current Local Open Space waiver fees.

The County's adequate public facilities law (BCC Article 32, Title 6) requires a developer to provide a certain amount of suitable open space for each dwelling unit. However, the Department of Recreation and Parks may allow a payment of a fee to the Local Open Space Revenue Account in lieu of providing the open space, subject to various conditions. The law requires the County Administrative Officer to establish fees, and the County Council must adopt the fee schedule by resolution.

The Council adopted the initial schedule of fees in 2000 (Res.13-00). The schedule was amended in 2004 (Res. 29-04) and 2006 (Res. 58-06).

Fees are based upon the zoning classification of the land, its use, and its public purpose. Fees are established after consultation with the Department of Recreation and Parks, the Office of Budget and Finance, and the Department of Permits, Approvals and Inspections (PAI).

According to the Administration, due to the economy, the PAI – Real Estate Compliance Division reviewed the current fees and recommended that they be reduced. The new fees were determined by analyzing land sales and market information gathered from MRIS (Metropolitan Regional Information Systems, Inc.), SDAT (the State Department of Assessments and Taxation), and actual Recreation and Parks acquisitions.

The current and proposed fees are:

<u>Zoning Classification</u>	<u>Fee per sq. ft. (Current)</u>	<u>Fee per sq. ft. (Proposed)</u>
DR 1	\$ 4.68	\$ 1.38
DR 2	5.49	2.30
DR 3.5	5.22	3.44
DR 5.5	6.07	3.79
DR 10.5	6.87	4.36
DR 16	9.76	5.74
RC 2	1.81	0.22
RC 3	3.47	0.69
RC 4	2.90	0.53
RC 5	3.43	1.10
RC 6	1.45	0.55
RC 7	2.17	0.22
RC 8	0.51	0.23
RC 20	1.81	0.28
RC 50	0.15	0.15

Over the FY 2010-FY 2012 period, the LOS waiver fees generated an average of \$230,242 annually.

Bill 31-13 on this agenda alters the County Code pertaining to Recreational Space by requiring a periodic review of the local open space waiver fees, and amending the allocation to Neighborspace of Baltimore County, Inc.

This resolution will take effect from the date of its approval.